



Billing Code: 4510-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

**Proposed Extension of Existing Information Collection;
Notification of Methane Detected in Underground Metal and
Nonmetal Mine Atmospheres**

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to assure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration is soliciting comments concerning the extension of the information collection for 30 CFR 57.22004(c); 57.22229(c) and (d); 57.22230(b) and

(c); 57.22231; and 57.22239. OMB last approved this information collection request (ICR) on August 19, 2009.

DATES: All comments must be postmarked or received by midnight Eastern Time on [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments concerning the information collection requirements of this notice must be clearly identified with "OMB 1219-0103" and sent to both the Office of Management and Budget (OMB) and the Mine Safety and Health Administration (MSHA). Comments to MSHA may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:*
<http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Facsimile:* 202-693-9441, include "OMB 1219-0103" in the subject line of the message.
- *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. For hand delivery, sign in at the receptionist's desk on the 21st floor.

Comments to OMB may be sent by mail addressed to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, 725

17th Street, NW., Washington, DC 20503, Attn: Desk Officer for MSHA.

FOR FURTHER INFORMATION CONTACT: Greg Moxness, Chief, Economic Analysis Division, Office of Standards, Regulations, and Variances, MSHA, at moxness.greg@dol.gov (e-mail); 202-693-9440 (voice); or 202-693-9441 (facsimile).

SUPPLEMENTARY INFORMATION:

I. Background

Methane is a flammable gas commonly found in underground mines in the United States. Although methane is often associated with underground coal mines, it also occurs in some metal and nonmetal mines (M/NM). Underground metal and Nonmetal mines are categorized according to the potential to liberate methane (30 CFR 57.22003 - Mine category or subcategory). Methane is a colorless, odorless, tasteless gas, and it tends to rise to the roof of a mine because it is lighter than air. Although methane itself is nontoxic, its presence reduces the oxygen content by dilution when mixed with air and, consequently, can act as an asphyxiant when present in large quantities.

Methane may enter the mining environment from a variety of sources including fractures, faults, or shear zones overlying or underlying the strata that surround the ore body, or from the ore body itself. It may occur as an

occluded gas within the ore body. Methane mixed with air is explosive in the range of 5 to 15 percent, provided that 12 percent or more oxygen is present. The presence of dust containing volatile matter in the mine atmosphere may further enhance the explosion potential of methane in a mine. Section 103(i) of the Federal Mine Safety and Health Act of 1977 (Mine Act), as amended, requires additional inspections to be conducted at mines depending on the amount of methane liberated from a mine.

This information collection addresses the recordkeeping associated with:

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| 30 CFR 57.22004(c) | Category placement or change in placement |
| 30 CFR 57.22229(c) & (d) | Weekly testing (I-A, III, and V-A mines) |
| 30 CFR 57.22230(b) & (c) | Weekly testing (II-A mines) |
| 30 CFR 57.22231 | Actions at 0.25 percent methane (I-B, II-B, V-B, and VI mines) |
| 30 CFR 57.22239 | Actions at 2.0 percent methane (IV mines) |

II. Desired Focus of Comments

MSHA is soliciting comments concerning the proposed extension of the information collection related to methane detected in the atmosphere of underground metal and nonmetal

(MNM) Mines. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;
- Evaluate the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Address the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses, to minimize the burden of the collection of information on those who are to respond.

The public may examine publicly available documents, including the public comment version of the supporting statement, at MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. OMB clearance requests are available on MSHA's website at <http://www.msha.gov> under "Rules & Regs" on the

right side of the screen by selecting [Information Collections Requests](#), [Paperwork Reduction Act Supporting Statements](#). The document will be available on MSHA's website for 60 days after the publication date of this notice. Comments submitted in writing or in electronic form will be made available for public inspection. Because comments will not be edited to remove any identifying or contact information, MSHA cautions the commenter against including any information in the submission that should not be publicly disclosed. Questions about the information collection requirements may be directed to the person listed in the FOR FURTHER INFORMATION section of this notice.

III. Current Actions

The information obtained from mine operators is used by MSHA during inspections to determine compliance with safety and health standards. MSHA has updated the data in respect to the number of respondents and responses, as well as the total burden hours and burden costs supporting this information collection extension request.

Summary

Type of Review: Extension

Agency: Mine Safety and Health Administration

Title: Methane Detected in Mine Atmosphere (Applies to Underground Metal and Nonmetal mines)

OMB Number: 1219-0103

Affected Public: Business or other for-profit

Cite/Reference/Form/etc: 30 CFR 57.22004, 57.22229, 57.22230, 57.22231, and 57.22239

Total Number of Respondents: 6

Frequency: infrequent

Total Number of Responses: 319

Total Burden Hours: 27.25 hours

Total Hour Burden Cost: \$ 0.0

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Authority: 44 U.S.C. 3506(c)(2)(A).

George F. Triebisch,
Certifying Officer

Dated: April 12, 2012

[FR Doc. 2012-9245 Filed 04/17/2012 at 8:45 am; Publication Date: 04/18/2012]